

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 1410

Short Title: County May Distribute Natural Gas.

(Public)

Sponsors: Senators Conder, Basnight, Cochrane, Odom, and Plyler.

Referred to: Public Utilities.

May 29, 1990

1 A BILL TO BE ENTITLED
2 AN ACT GIVING COUNTIES THE SAME AUTHORITY THAT CITIES HAVE
3 CONCERNING OPERATION OF A GAS PRODUCTION AND DISTRIBUTION
4 SYSTEM.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 153A-274 reads as rewritten:

7 "§ 153A-274. Public enterprise defined.

8 As used in this Article, 'public enterprise' includes:

- 9 (1) Water supply and distribution ~~systems,~~ systems.
- 10 (2) Sewage collection and disposal systems of all types, including septic
11 tank systems or other on-site collection or disposal facilities or ~~systems,~~
12 systems.
- 13 (3) Solid waste collection and disposal systems and ~~facilities,~~ facilities.
- 14 (4) ~~Airports,~~ Airports.
- 15 (5) Off-street parking ~~facilities,~~ facilities.
- 16 (6) Public transportation ~~systems,~~ systems.
- 17 (7) Structural and natural stormwater and drainage systems of all types.
- 18 (8) Gas production, storage, transmission, and distribution systems,
19 including activities related to exploring for natural gas, whether inside
20 or outside the State, and the purchase or lease of natural gas fields,
21 natural gas reserves, and natural gas supplies."

22 Sec. 2. G.S. 153A-275 reads as rewritten:

1 **"§ 153A-275. Authority to operate public enterprises.**

2 A county may acquire, lease as lessor or lessee, construct, establish, enlarge,
3 improve, extend, maintain, own, operate, and contract for the operation of public
4 enterprises in order to furnish services to the county and its citizens. A county may
5 acquire, construct, establish, enlarge, improve, maintain, own, and operate outside its
6 borders any public enterprise.

7 A county may by ordinance or resolution adopt adequate and reasonable rules and
8 regulations to protect and regulate a public enterprise belonging to or operated by it.

9 A county may operate the part of a gas system that involves activities related to
10 exploring for natural gas or the purchase or lease of natural gas fields, natural gas
11 reserves, or natural gas supplies in a partnership or a joint venture with a natural gas
12 utility or a private enterprise."

13 Sec. 3. This act is effective upon ratification.